

REMARKS

Applicant is filing the present Amendment and Response in reply to the outstanding Final Official Action of January 7, 2008.

Applicant respectfully submits new claims 47-63 for examination. Independent claim 47 is directed to a medical apparatus adapted for use with a capsulated medical device having an imager for obtaining an image and an external reception system placed outside of a body for receiving data of the image, the medical apparatus being operable with the external reception system. The medical apparatus comprises a communication section through which the external reception system is connected and the data of the image is transmitted from the external reception system, the external reception system receiving data of the image wirelessly transmitted from the capsulated medical device through an antenna and storing the received data of the image in a storage section, a display section which at least temporarily displays the image transmitted from the external reception system, and a drive power supply section including a battery for supplying a driving power to at least the communication section.

Independent claim 53 is directed to a medical apparatus adapted for use with a capsulated medical device having an imager for obtaining an image and an external reception system placed outside of a body for receiving data of the image transmitted from the capsulated medical device. The medical apparatus comprises a communication section through which the external reception system is connected and the data of the image is transmitted from the external reception system, a display section which at least temporarily displays the image transmitted from the external reception system and a drive power supply section including a battery for supplying a driving power to at least the

communication section. The external reception system is configured to receive data of the image and information on an operation of the capsulated medical device wirelessly transmitted from the capsulated medical device, and stores the data of the image in a storage section.

Independent claim 60 is directed to an external reception system operable with a capsulated medical device having an imager for obtaining an image and placed outside of a body. The external reception system comprises a storage section and a battery. The external reception system is configured to receive data of the image and information on an operation of the capsulated medical device wirelessly transmitted from the capsulated medical device, store the data of the image in a storage section, and be driven by the battery.

No new matter has been added to the application by way of the aforementioned amendments. For example, Applicant directs the Examiner attention to Figure 13 and its corresponding description and paragraph 0058-0068 of the patent publication.

Applicant submits that new claims 47-63 are patentable over the reference cited in the Official Action, U.S. Pat. Pub. 2003/0139661 (Kimchy) based at least upon the following reasons.

Independent claim 47 recite, *inter alia*, a communication section through which the external reception system is connected and ***the data of the image is transmitted from the external reception system***, the external reception system receiving data of the image wirelessly transmitted from the capsulated medical device through an antenna and ***storing the received data of the image in a storage section*** and a display section which at least temporarily displays the image transmitted from the external reception system. Applicant

submits that the reference does not teach that the data of the image is transmitted from the external reception system to the medical apparatus or that the data of the image is stored in the external reception system.

Notably, Kimchy simply describes that the apparatus 18 may include a transmitter for communication with a computer. Kimchy does not state or describe what is being communicated. Additionally, while Kimchy also discloses that the apparatus 18 includes a computer means 30 that may contain a removable data storage implement, such as a diskette, a minidisk, a CD, a tape or the like, Kimchy once again does not describe what is being stored. Accordingly, Kimchy neither expressly nor inherently teaches these features. Claim 47 explicitly recites that the data of the image is transmitted to the medical apparatus from the external reception system and that the data of the image is stored in the external reception system.

Additionally, Kimchy fails to teach that the display section *at least temporarily displays the image*. As noted above, Kimchy fails to teach that the data of the image is transmitted to the medical apparatus and, therefore, cannot teach displaying the image on the display of the medical apparatus. Additionally, *pro arguendo*, assuming that the data of the image is transmitted, Kimchy does not teach displaying the image at least temporarily on the display. Kimchy simply describes a computer with a display. Applicant submits that independent claim 53 is patentable over Kimchy based at least upon the above-identified analysis. Claim 60 recites, *inter alia*, that the external reception system is configured to receive data of the image and information on an operation of the encapsulated medical device wirelessly transmitted from the encapsulated medical device, and store the data of the image in a storage section. Applicant submits

that Kimchy fails to teach storing the data of the image in a storage section based at least upon the reasons set forth above.

Accordingly, Applicant respectfully submits that independent claims 47, 53 and 60 are patentable over Kimchy. Additionally, Applicant respectfully submits that dependent claims 48-52, 54-59 and 61-63 are patentable over Kimchy based at least upon their dependency, whether directly or indirectly, from claims 47, 53 and 60, respectively, and in view of the above-identified analysis.

Additionally, Applicant submits that dependent claims 48 and 54 are separately patentable; the reference fails to teach that the image comprises plurality of images and, **when the medical apparatus is connected to the external reception system, the display section displays at least some of the images which are stored in the external reception system.** Notably, as stated above, Kimchy does not expressly or inherently describe or teach that the image is displayed. Additionally, Kimchy also fails to describe a relationship between a connection to the external reception system and displaying images.

Additionally, Applicant submits that dependent claims 50 and 55 are separately patentable; the reference fails to teach that the display section displays the image to allow a user to monitor a status on an operation of the capsulated medical device. Notably, as stated above, Kimchy does not expressly or inherently describe or teach that the image is displayed. Additionally, Kimchy also fails to describe allowing a user to monitor a status of an operation of the capsulated medical device.

Additionally, Applicant submits that dependent claims 52 and 59 are separately patentable over Kimchy because the reference does not suggest that the image is

displayed on the display section while the data thereof is stored in the storage section, as explicitly recited. Kimchy does not describe any correlation between displaying an image and storing the data in the medical apparatus. Additionally, as stated above, Kimchy does not even expressly teach displaying the image on the computer 20 or storing the data in the computer.

Furthermore, Applicant submits that dependent claim 61 is separately patentable over Kimchy; the reference fails to teach that the external reception system comprises, *inter alia*, an information display, as explicitly recited. Specifically, Kimchy fails to describe a display in the extracorporeal apparatus 18. Rather, the extracorporeal apparatus 18 is described as includes a power source, a computer means (with a processor and storage) and related circuitry. The extracorporeal apparatus 18 also includes a receiving and transmitting section.

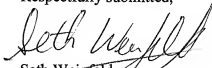
Furthermore, Applicant submits that dependent claim 62 is separately patentable over Kimchy; the reference fails to teach that the external reception system comprises, *inter alia*, the external reception system is configured to store input information input by a user, as explicitly recited. At best, Kimchy teaches that the extracorporeal apparatus includes a transmitter for sending instructions to the ingestible device. However, the reference does not teach that the instructions are input into the extracorporeal apparatus.

Applicant respectfully requests that the Examiner allow new Claims 47-63.

Accordingly, based upon the foregoing, Applicant submits that the application is in condition for allowance. Applicant also notes that Applicant is willing to have a telephone interview with the Examiner prior to the Examiner issuing an Official Action to expedite prosecution of this matter. Applicant respectfully requests that the Examiner

call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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